

ORDINANCE NO. 20110804-041

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 6701 BURNET ROAD IN THE BRENTWOOD NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-V-CO-NP) COMBINING DISTRICT TO COMMERCIAL-LIQUOR SALES-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-1-MU-V-CO-NP) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district to commercial-liquor sales-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-1-MU-V-CO-NP) combining district on the property described in Zoning Case No. C14-2011-0031, on file at the Planning and Development Review Department, as follows:

A 0.229 acre tract of land, more or less, out of Lot 2, Travis County Subdivision No. 1, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 6701 Burnet Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. Except as otherwise specifically provided in Part 3 and Part 4 of this ordinance, the Property may be developed and used in accordance with the regulations established for the commercial-liquor sales (CS-1) base district, the mixed use combining district, and other applicable requirements of the City Code.

PART 3. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

A. The following uses are prohibited uses of the Property:

Liquor sales

Adult oriented businesses

B. The following uses are conditional uses of the Property:

Agricultural sales & services
Equipment sales
Campground
Kennels

Commercial blood plasma center
Vehicle storage
Equipment repair services

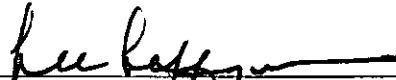
PART 4. The Property is subject to Ordinance No. 040513-33A, that established the Brentwood neighborhood plan combining district.

PART 5. This ordinance takes effect on August 15, 2011.

PASSED AND APPROVED

_____, August 4, 2011

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Lee Jeffingwell
Mayor

APPROVED: 

Karen M. Kennard
City Attorney

ATTEST: 

Shirley A. Gentry
City Clerk

EXHIBIT A
FIELD NOTES
REZONING AREA

BEING 0.229 OF AN ACRE OF LAND, MORE OR LESS, OUT OF AND A PORTION OF LOT 2 OF TRAVIS COUNTY SUBDIVISION NO. 1, A SUBDIVISION OF RECORD IN THE CITY OF AUSTIN, TEXAS, AS RECORDED IN VOLUME 47, PAGE 18 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.229 OF AN ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a found TXDOT Type 1 concrete Right-of-Way monument, marking the beginning of a curve to the right (concave to the east) on the east right-of-way line of Burnet Road (said monument location being in error), said line also being the west line of said Lot 2, from this point a 1/2" iron rod found for the southwest corner of said Lot 2, bears S 08° 52' 34" W, a distance of 194.34 feet, said monument also being the southwest corner of this tract:

THENCE N 08° 52' 34" E, continuing along said right-of-way line, a distance of 8.39 feet to a chiseled "X" found in concrete for the actual beginning point of said curve to the right;

THENCE along said curve and said right-of-way line having the following elements: a central angle of 2° 47' 26", a radius of 2232.01 feet, and an arc length of 108.71 feet, the chord of which bears N 10° 19' 39" E, a distance of 108.70 feet, to a 1" iron pipe found for the northwest corner of said Lot 2, same being the southwest corner of Lot 1 of the Bradley Addition, a subdivision of record in the city of Austin, Texas, as recorded in Vol. 84, Page 69B of the Plat Records of Travis County, Texas, and being the northwest corner of this tract;

THENCE S 60° 02' 55" E, along the north line of said Lot 2, same being the south line of said Lot 1, and being the north line of this tract, a distance of 98.71 feet to a point for the most westerly northeast corner of this tract;

THENCE through said Lot 2 the following three (3) courses and distances:

- 1) S 30° 41' 08" W, a distance of 19.64 feet;
- 2) S 13° 37' 30" W, a distance of 33.42 feet, and;
- 3) S 30° 10' 55" W, a distance of 17.58 feet intersecting with the outside wall of an existing building;

THENCE around the outside wall of said building and included attached covered areas (see accompanying sketch) the following eleven (11) courses and distances:

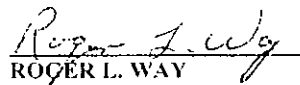
- 1) S 59° 48' 48" E, a distance of 26.25 feet;
- 2) S 30° 11' 12" W, a distance of 5.70 feet;
- 3) S 59° 16' 03" E, a distance of 8.10 feet;
- 4) S 30° 43' 57" W, a distance of 29.60 feet;
- 5) S 59° 16' 03" E, a distance of 0.40 feet;
- 6) S 30° 43' 57" W, a distance of 1.40 feet;
- 7) N 59° 39' 30" W, a distance of 8.39 feet;
- 8) S 30° 43' 57" W, a distance of 4.94 feet;
- 9) N 59° 16' 03" W, a distance of 32.16 feet;
- 10) N 32° 11' 25" W, a distance of 10.98 feet, and;
- 11) around a non-tangent curve to the right (concave to the east) having the following elements: a central angle of 59° 06' 04", a radius of 26.44 feet and an arc length of 27.27 feet, the chord of said curve bears N 18° 09' 55" W, a distance of 26.08 feet;

THENCE departing from said building, and said covered areas through said Lot 2 the following three (3) courses and distances:

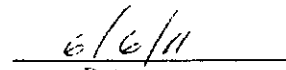
- 1) N 60° 37' 10" W, a distance of 21.17 feet;
- 2) S 54° 09' 58" W, a distance of 22.30 feet, and
- 3) S 88° 10' 52" W, a distance of 2.95 feet to THE POINT OF BEGINNING, and containing 0.229 of an acre, more or less.

Basis of bearings for this survey is the east line of said Lot 2 (rear line) as S 24° 51' 00" W, as shown on the subdivision plat for Lot 2.

This metes and bounds description is to accompany an illustration of same date.


ROGER L. WAY
R.P.L.S. No. 3910
JOB No. 06B02011




Date

SCALE: 1"=20'

BURNET ROAD
(R.O.W. VARIES)

(N 08°51'E 8.50')
N 08°52'34"E 8.39'

P.O.B.
TYPE 1 TADOT
CONCRETE MONUMENT
FOR PC OF CURVE
IN ERROR

"X" IN CONCRETE
PC OF CURVE

CONC

CONCRETE PATIO

WOOD DECK

ASPHALT AREA

0.229 ACRE
9,975 SQ.FT.



Roger L. Way

WOOD DECK

LOT 1
BRADLEY
ADDITION
BK. 84, PG. 69B
T.C.P.R.

S 88°10'52"W 2.95'

S 54°09'58"W 22.30'

N 60°37'10"W 21.17'

N 32°11'25"W 10.98'

N 59°16'03"W 32.15'

S 30°43'57"W 4.94'

N 59°39'30"W 8.39'

S 30°43'57"W 1.40'

S 30°10'55"W 17.58'

BUILDING

S 59°48'48"E 26.25'

COVERED AREA

ENCLOSED PATIO

S 13°37'30"W 33.42'

S 30°41'08"W 19.64'

Curve	Radius	Length	Chord	Chord Bearing
C1	2232.01'	108.71'	108.70'	N 10°19'39" E
(C1)	(2232.01')	(108.87')	(108.86')	(N 10°15' E)
C2	26.44'	27.27'	26.08'	N 18°09'55" W

LOT 2
TRAVIS COUNTY SUBDIVISION NO. 1
VOLUME 47, PAGE 18
TRAVIS COUNTY, PLAT RECORDS
SPIRITUAL URBAN WARRIOR LLC
DOCUMENT NO. 2007171567
OFFICIAL PUBLIC RECORDS OF
TRAVIS COUNTY, TEXAS



ALL POINTS SURVEYING
1714 FORTVIEW ROAD - SUITE 200
AUSTIN TX. 78704
TELE.: (512) 440-0071 - FAX. (512) 440-0199

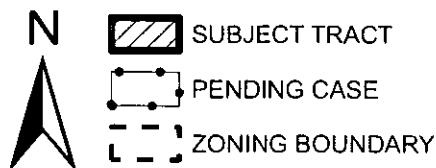
SURVEY DATE: 8-31-10
Job No.: 06802011
SCALE: 1"=20'
DRAFTING: MDL

EXHIBIT "A2"



ZONING EXHIBIT B

ZONING CASE#: C14-2011-0031
 LOCATION: 6701 BURNET RD BLDG A3
 SUBJECT AREA: 0.229 ACRES
 GRID: J28
 MANAGER: CLARK PATTERSON



1" = 400'

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.